

Assembly Bill No. 776

CHAPTER 879

An act to add Section 48225.5 to the Education Code, relating to pupils.

[Approved by Governor October 11, 1997. Filed
with Secretary of State October 12, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

AB 776, Baca. Pupil attendance.

Existing law subjects each person between the ages of 6 and 18 years who is not otherwise exempt, to compulsory full-time education. Existing law excuses pupils from school for justifiable personal reasons, including, among others, appearance in court, attendance at a funeral service, and observance of a holiday or ceremony of the pupil's religion. Existing law also provides that the governing board of a school district, that has children holding work permits to work temporarily in the entertainment or allied industries and therefore are exempt from attending public full-time day school, or a county superintendent of schools, may contract with any person, firm, or corporation responsible for the education of those children, to provide eligibility lists and placement services for qualified teaching and other necessary personnel for tutoring of those children while they are employed.

This bill would require a pupil who holds a work permit to work for a period of not more than 5 consecutive days in the entertainment or allied industries to be excused from school during the period that the pupil is working in the entertainment or allied industry for a maximum of up to 5 absences per school year. The bill would also require a pupil to be excused from school in order to participate with a not-for-profit performing arts organization in a performance for a public school pupil audience, as specified. The bill would require a school district to permit those pupils to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion, to give full credit therefor, as specified. The bill would require that a pupil who is excused from school while working in the entertainment or allied industry receive instruction during the period of the absence from a studio teacher certified, as specified, during specified hours of the day, and would authorize a pupil to be enrolled in a work experience program, as specified.

By imposing new duties or a higher level of service upon school districts and school employees, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 48225.5 is added to the Education Code, to read:

48225.5. (a) (1) Notwithstanding Section 48200, a pupil who holds a work permit to work for a period of not more than five consecutive days in the entertainment or allied industries shall be excused from school during the period that the pupil is working in the entertainment or allied industry for a maximum of up to five absences per school year.

(2) Notwithstanding Section 48200, a pupil shall be excused from school in order to participate with a not-for-profit performing arts organization in a performance for a public school pupil audience for a maximum of up to five days per school year provided the pupil's parent or guardian provides a written note to the school authorities explaining the reason for the pupil's absence.

(b) A pupil absent from school under this section shall be permitted to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion, shall be given full credit therefor. The teacher of any class from which a pupil is absent shall determine, pursuant to the regulations of the governing board of the school district, or the county board of education, what assignments the pupil shall make up and in what period of time the pupil shall complete those assignments. The tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

(c) A pupil absent pursuant to paragraph (1) of subdivision (a) shall receive instruction during the period of the absence from a studio teacher certified by the Labor Commissioner holding credentials as defined in Section 11755 of Title 8 of the California Code of Regulations. The instruction shall be offered between 7 a.m. and 4 p.m. for pupils in kindergarten and grades 1 to 6, inclusive, and between 7 a.m. and 7 p.m. for pupils in grades 7 to 12, inclusive. The school district or county superintendent of schools shall accept the

work done by the pupil and the grades given to the pupil on that work and shall provide the pupil with credit for the instruction the pupil received from that teacher.

(d) At the request of a pupil excused from school pursuant to paragraph (1) of subdivision (a), the pupil may be permitted to enroll in a work experience program of the school district and shall receive appropriate academic credit for that work experience.

(e) This section shall apply to all pupils, whether a pupil is enrolled in regular classes or special education classes, a regional occupational program or center, or a program of independent study, or any other program of the school district or county superintendent of schools.

SEC. 2. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

